

HONORABLE ROBERT S. LASNIK

Trial Date: March 4, 2019

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

EL-FATIH P. NOWELL,

Plaintiff,

vs.

TRIMED AMBULANCE, LLC and KENT  
FIRE DEPARTMENT REGIONAL FIRE  
AUTHORITY aka PUGET SOUND  
REGIONAL FIRE AUTHORITY and JOHN  
DOES 1-4,

Defendants.

No. 2:17-cv-01133 RSL

STIPULATED MOTION TO EXTEND  
MOTION IN LIMINE DEADLINE

For good cause shown and with the judge's consent, the Court may modify the deadlines in the scheduling order. Fed. R. Civ. P. 16(b)(4); see also LCR 16(b)(5). The "good cause" standard primarily considers the diligence of the party seeking the amendment: the district court may modify the pretrial schedule if it cannot reasonably be met despite the diligence of the party seeking the extension. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992) (citing Fed. R. Civ. P. 16 advisory committee's notes (1983 amendment)). Although the existence or degree of prejudice to the opposing party might

STIPULATED MOTION TO EXTEND MOTION  
IN LIMINE DEADLINE (Cause No. 2:17-cv-  
01133 RSL) – 1  
jh/JCM6317.093/3119500x

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1 supply additional considerations for a motion to modify, the focus remains on the moving  
2 party's reasons for seeking modification. *See also Johnson*, 975 F.2d at 609 (internal citation  
3 omitted).

4 On January 10, 2019, the Court heard oral arguments on Defendants' Motions for  
5 Summary Judgment. The Court granted Defendants' Motions in part and denied in part. (Dkt.  
6 33). Following oral arguments, Judge Lasnik urged the parties to re-engage in mediation in  
7 light of the Court's ruling.  
8

9 The Parties have corresponded and have mediation scheduled for February 5, 2019.  
10 Pursuant to the Court's Amended Order Setting Trial Date and Related Dates, "[a]ll motions  
11 in limine must be filed by and noted on the motion calendar" by February 4, 2019. (Dkt. 19).

12 The parties respectfully request the Court extend the Motion in Limine deadline one  
13 week, or until February 11, 2019, to allow the parties to mediate this matter. All other dates  
14 in the Court's Amended Order Setting Trial Date & Related Dates (Dkt. 19) are to remain the  
15 same.  
16

17 IT IS SO STIPULATED THIS 16<sup>th</sup> day of January, 2019.

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**ORDER**

Based upon the foregoing Stipulation,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the parties' stipulated motion is granted. The Case Schedule Order in this matter shall be amended as follows:

All motions in limine must be filed by and noted on the motion calendar no earlier than the second Friday thereafter. **February 11, 2019**  
Replies will be accepted.


Agreed pretrial order due **February 20, 2019**

Pretrial conference to be scheduled by the Court

Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due **February 27, 2019**

Length of Trial: 4-5 days **Jury**

STIPULATED MOTION TO EXTEND MOTION  
IN LIMINE DEADLINE (Cause No. 2:17-cv-  
01133 RSL) – 3  
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Nothing in this Order shall affect case schedule deadlines that have already passed.

DONE IN OPEN COURT this 17<sup>th</sup> day of January, 2019.

*Robert S. Lasnik*

HONORABLE ROBERT S. LASNIK

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